

2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB207)

Received: **04/24/2007**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Public Util. - misc.**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Stone@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Commission review of municipal regulation

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 04/24/2007	jdye 04/24/2007		_____			
/1	pgrant 04/24/2007	jdye 04/24/2007	rschluet 04/24/2007	_____	mbarman 04/24/2007	mbarman 04/24/2007	
/2		jdye 04/24/2007	rschluet 04/24/2007	_____	cduerst 04/24/2007		
/3	pgrant	csicilia	pgreensl	_____	lparisi	lparisi	

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	04/24/2007	04/24/2007	04/24/2007	_____	04/24/2007	04/24/2007	
/4	pgrant 04/24/2007	wjackson 04/24/2007	rschluet 04/24/2007	_____	lparisi 04/24/2007	lparisi 04/24/2007	
/5			rschluet 04/24/2007	_____	lparisi 04/24/2007	lparisi 04/24/2007	

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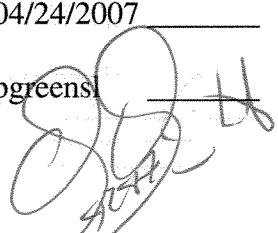
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	04/24/2007	04/24/2007	04/24/2007	_____	04/24/2007	04/24/2007	
/4		15WJ 4/24	rschluet	_____	lparisi	lparisi	
			04/24/2007	_____	04/24/2007	04/24/2007	

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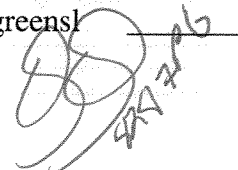
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/3			pgreensl	_____	lparisi	lparisi	

1/4 js 4/24/07



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			04/24/2007 _____		04/24/2007	04/24/2007	

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/1	1/24 jld 1/3 4/24 jld	rschluet 04/24/2007			mbarman 04/24/2007	mbarman 04/24/2007	

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<END>

4247

4/24/08

4/24/08

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/?	pgrant	1 4/24 jld					
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FE Sent For:

<END>

A L ASA 6 AB 207

mini's authority
also applies to "certain"

STONE

presumption
if reg by mini is cap to or limit to

what reg is or eff-date
PSC ~~has~~ can't pay it

UNRECORDED

eg

reg'd unlegislated before ?

requires if now



can't reg that's unrecordable

2005

Date (time)
needed

now

LRBa 0407 / 1

AMENDMENT

MDK : jld : _____

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT

(LRBa 1)

TO S A SUBSTITUTE AMENDMENT

(LBBs 1)

TO 2005 SB SJR SR AB AJR AR

207 (LRB- 1)

At the locations indicated, amend the substitute amendment as follows:
(fill ONLY if "engrossed ..." or "as shown by")

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

Page 32, line 24: after the "VOID." ↑
period insert " If the commission ✓
determines that a municipal regulation imposed on a
company immediately prior to the effective date
of this ~~act~~ [revisor inserts date],
is substantially the same
as the municipal regulation complained of,
the commission may not find the latter
regulation unreasonable. "

(End)

now

2

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 207**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 32, line 24: after "void." insert "If the commission determines that a
3 municipal regulation imposed on a company immediately prior to the effective date
4 of this subsection [revisor inserts date], is substantially the same as the municipal
5 regulation complained of, the commission may not find the latter regulation
6 unreasonable.".

7 (END)

or that a community standard in the
municipality that affected the company
immediately prior to the effective
date of this subsection [revisor inserts date],
.....

revisor
inserts
date



now

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 207

was in effect on
January 1, 2007, and

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 32, line 24: after "void." insert "If the commission determines that a
- 3 municipal regulation imposed on a company immediately prior to the effective date
- 4 of this subsection [revisor inserts date], or that a community standard in the
- 5 municipality immediately prior to the effective date of this subsection [revisor
- 6 inserts date], is substantially the same as the municipal regulation complained of,
- 7 the commission may not find the latter regulation unreasonable."

8 (END)

7/24/07

J. Stone re 20407

Δ # 101 Δ is rebuttable presumption &
CR the " " that

reg is reasonable if reg does not have
effect of CR a moratorium on placement
of facilities in A-way or entrance of
competitive franchise, or is consistent
w/ purposes of bill.

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 207**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 32, line 24: after "void." insert "If the commission determines that a
3 municipal regulation imposed on a company ^{that} was in effect on January 1, 2007, and
4 immediately prior to the effective date of this subsection [revisor inserts date], or
5 that a community standard in the municipality ^{that} was in effect on January 1, 2007, and
6 immediately prior to the effective date of this subsection [revisor inserts date], is
7 substantially the same as the municipal regulation complained of, the commission
8 ~~may not find the latter regulation unreasonable.~~ ^{there is a rebuttable presumption that} ^{insert}

9 (END)
is

there is a rebuttable presumption that

insert

rebuttable

(no 9) There is a rebuttable presumption that a

municipal regulation is reasonable

if it does not have the effect of

creating a moratorium on the placement
of company lines or ^{systems} ~~systems~~ ~~right-of-way~~

under sub. (1r) or on the entrance

into the municipality of a video

service provider, as defined s. 66.0420
or defined in s. 66.0420 (2)

(zg) , or is consistent with the

purposes of s. 66.0420 ©

(WJ)

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 207**

^ as demonstrated through
consistent ~~past~~ practice and
custom

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 32, line 24: after "void." insert "If the commission determines that a
3 municipal regulation imposed on a company that was in effect on January 1, 2007,
4 and immediately prior to the effective date of this subsection [revisor inserts date],
5 or that a community standard in the municipality that was in effect on January 1,
6 2007, and immediately prior to the effective date of this subsection [revisor inserts
7 date], is substantially the same as the municipal regulation complained of, there is
8 a rebuttable presumption that the latter regulation is reasonable. ~~There is a~~
9 ~~rebuttable presumption that~~ a municipal regulation is reasonable if it does not have
10 the effect of creating a moratorium on the placement of company lines or systems

1 under sub. (1r) or on the entrance into the municipality of a video service provider,
2 as defined in s. 66.0420 (2) (zg), or is ⁱⁿ consistent with the purposes of s. 66.0420.”

3 (END)